

PATENT
Attorney Docket No.: SALK1590-3
(088802-2454)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: HEINEMANN et al.

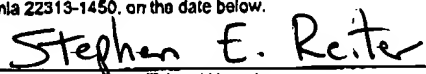


Title: NEURONAL NICOTINIC
ACETYLCHOLINE RECEPTOR
COMPOSITIONS

Appl. No.: 09/580,462

Filing Date: May 26, 2000

Examiner: J. Ulm

Art Unit: 1646

CERTIFICATE OF MAILING	
<small>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450, on the date below.</small>	
 _____ <small>(Printed Name)</small>	
 _____ <small>(Signature)</small>	
 _____ <small>(Date of Deposit)</small>	

DECLARATION UNDER 37 CFR § 1.808

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Dear Sir:

I, Sheila R. Kirschenbaum, Patent Counsel of The Salk Institute for Biological Studies, declare and state:

- The following cell lines listed in Table 1 below, herein referred to as the "deposit", have been deposited on behalf of The Salk Institute for Biological Studies, herein referred to as the "depositor", with the American Type Culture Collection, 10801 University Boulevard, Manassas, Virginia 20110, USA (ATCC):

TABLE 1

Nicotinic Acetylcholine Receptor	Clone	ATCC Accession No.
alpha2	PHYPI6	ATCC No.67646
alpha3	pPCA48	ATCC No.67642
alpha4.1	pHYA23-1(E)1	ATCC No.67644
alpha4.2	pHIP3C(3)	ATCC No.67645
alpha5	Pci321	ATCC No.67652
beta2	pPCX49	ATCC No.67643
beta3	EDS76	ATCC No.67653
beta4	PZPG13	ATCC No.67893

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2. The deposits were made under the provisions of the Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purpose of Patent Procedure and the Regulations thereunder (Budapest Treaty). The biological material will be made available by ATCC under the terms of the Budapest Treaty and will be irrevocably and without restriction or condition released to the public upon issuance of the patent.

3. Access to the deposit will be available during pendency of the patent application to one determined by the Commissioner to be entitled thereto under § 1.14 and 35 U.S.C. 122.

4. Depositor reserves the right to contract with ATCC to require that samples of a deposited biological material be furnished if a request for a sample, during the term of the patent:

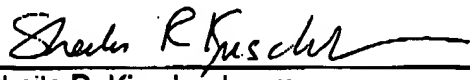
(1) Is in writing or other tangible form and dated;

(2) Contains the name and address of the requesting party and the accession number of the deposit; and

(3) Is communicated in writing by the depository of the depositor along with the date on which the sample was furnished and the name and address of the party to whom the sample was furnished.

5. I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: 15 March 2004



Sheila R. Kirschenbaum
Patent Counsel
The Salk Institute for Biological Studies